

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Disciplinary proceedings against Sri G.C. Reddaiah, Deputy Superintendent of Police (Retired) and (3) others - Dropping further action against Sri K.Srinivasa Rao, DSP.(Retd) - Orders - Issued.

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HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 2243

Dated: 27/11/2013

Read the following:-

1. From the Director General of Police, A.P. Hyderabad, Letter Rc.No.508/O2/05, dated 18.2.2006.
2. Govt. Memo No.5771/Ser.I/A2/2006-11, dated 20.9.2007.
3. From Sri K.Srinivasa Rao, Inspector of Police, acknowledgement of article of charge, dated 5.11.2007.
4. G.O.Rt.No.391, Home(Ser.I) Deptt., dated 12.02.2009.
5. G.O.Rt.No.220, Home (Ser.I) Deptt, dated 12.02.2009
6. From, Sri Jitender, IPS, (Rtd) & Member COI, D.O.Lr.No.224/COI-J/2009, dated 06.11.2012
7. Govt. Memo No.5771/Ser.I/A2/2006, dated 19.07.2013.
8. G.O.Rt.No.1583., Home (Ser.I) Deptt, dated 19.07.2013
9. From, DGP, AP, Hyderabad, Lr.No.508/O2/2005, dated 12.09.2013

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ORDER:

The Director General of Police, A.P., Hyderabad, in his letter 1<sup>st</sup> read above, has reported that the Hon'ble Principal, District Sessions Judge, Nellore, in his judgment dated 4.8.2005 in SC No.222/03 observed that the investigation done by the C.B.C.I.D. was not on right lines and the Investigating Officer has never bothered to collect the rightful evidence and ignored the factum of rape on the deceased. The Judge opined that it is a fit case where necessary to take departmental action against Sri D.Mohan Rao, the then Inspector of Police, C.I.D., Nellore, and Sri M.Vijaya Kumar, the then Inspector of Police, C.I.D., Nellore, for dereliction of duty and for not properly caring to handle the investigation. A copy of the judgment was also marked to State Human Rights Commission for taking action against the Deputy Superintendent of Police for illegally detaining 17 persons and sending them to remand in the case for which there was no consequential prosecution of those persons and which act of the Deputy Superintendent of Police is found to be incorrect in the subsequent investigation. The Hon'ble Judge passed orders to take necessary action against Sri K.Sreenivasa Rao, formerly Circle Inspector of Police, Udayagiri, Sri D.Mohan Rao and Sri M.Vijaya Kumar, former Inspector, CID, Nellore. The Director General of Police, Hyderabad has therefore, requested the Government to initiate disciplinary action against the following Officers:

1. G.C.Reddaiah, the then DSP, Kavali, now retired
2. K.Srinivasa Rao, formerly C.I., Udayagiri now DSP, Intelligence
3. M.Vijay Kumar, formerly Inspector, CID now in V&E
4. D.Mohan Rao, formerly Inspector, CID Nellore

2. In the reference 2<sup>nd</sup> read above, a charge memorandum has been issued on Sri K.Srinivasa Rao, , DSP Intelligenece, (f) C.I., Udayagiri, along with (3) others, calling their written statements of defence thereon, within ten days from the date of receipt of the charge memo. Sri K.Srinivasa Rao, Inspector of Police, has acknowledged the charge memo on 5.11.2007 and failed to submit his written statement of defence. Hence, Government have decided to conduct Oral Enquiry against all the said (4) Charged Officer by appointing Enquiry Officer and Presenting Officer and accordingly Dr. Subrendu Bhattacharya, IAS, Member COI, has been appointed as the Inquiring Authority under

clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991, vide reference 4<sup>th</sup> read above. Orders were also issued therein appointing Sri M. Vara Prasada Rao, Advocate, as the Presenting Officer to present the case before the Inquiring Authority. Subsequently, Sri Jitender, IPS, COI, has been appointed as Enquiry Officer, in place of Dr. Subrendu Bhattacharya, IAS, Member COI, vide reference 5<sup>th</sup> read above, for the reasons mentioned therein.

3. In the reference 6<sup>th</sup> read above, Sri Jitender, IPS, Commissioner of Inquiries, has informed that the case is **posted for witness examination on 14.12.2012** and Smt K.L.S.Rajeswari, W/o Sri K.Srinivasa Rao, Charged Officer-2, has requested the COI, to drop the oral enquiry against the charged officer-2, **who retired from Service on 30.10.2012 since he bed ridden due to neurological disorder since, 16.04.2011. He has also lost his speech, his limbs got paralyzed, and liquid diet is being supplied through a gastric tube provided at his abdomen.** Thus, the Sri Jitender, IPS, Commissioner of COI, has requested to issue necessary directions to the charged officer-2 and guidance to the forum. As such, the DGP, AP, Hyderabad has been requested to ascertain and furnish the latest medical condition of the charged officer along with connected records, vide reference 7<sup>th</sup> read above. Orders were issued by appointing Sri ALok Srivastava, IPS (Retd), Member (COI-AS) Detptt., in place of Sri Jitender, IPS, COI, as Enquiry Officer vide reference 8<sup>th</sup> read above, for the reasons mentioned therein.

4. In the reference 9<sup>th</sup> read above, the DGP, AP, Hyderabad has informed that, the G.O.Rt.No.1583, Home (Ser.I) Deptt., dated 19.07.2013, in which enquiry officer has been changed, could not be served on Sri A.Srinivasa Rao, DSP Crimes-I, (Retired) as he was on medical leave from April, 2011 onwards due to sever illness and is taking treatment at Hyderabad. He has further stated that as per the report of the SP.,Rajahmundry, the charged officer-2, was diagnosed with a rare neurological disorder called "Locked in Syndrome" and is unable to sign. The present Medical Officer, Nuero Surgeon of Yashoda Hospital, has certified that he is suffering from brain stroke. He has lost his speech and ability for food intake. He is unable to sign documents or to attend any Judicial or Departmental proceedings. He is under Dr.Jayadip Ray Chaudauri's treatment and needs continuous medication and regular follow up in OPD. Finally, while enclosing the copy of Medical Certificate along with the letter of Smt K.L.S.Rajeswari, W/o A.Srinivasa Rao, DSP (Retired), the DGP, AP, Hyderabad has requested to take further action in the matter.

5. Government, after careful examination of the matter, keeping in view of rule 26 of APCS (CC&A) Rules 1991, hereby drop the further action against Sri A.SrinivasaRo, DSP(Retd),

6. The Director General of Police, AP, Hyderabad is requested to take further necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**T.P.DAS**

**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General of Police, A.P. Hyderabad

The Charged Officer concerned

through Director General of Police, A.P. Hyderabad

The G.A. (COI-AS) Deptt.,

The Accountant General , AP, Hyderabad

SF/SC

**// FORWARDED :: BY ORDER//**

**SECTION OFFICER**